IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2001 OF 2006

Kolety Gum Industries & Anr. .. Applicants.
Vs.
Mrs.Sangeeta Rajesh Verma & Anr. .. Respondents.

WITH

CRIMINAL APPLICATION NO.2002 OF 2006

Kolety Gum Industries & Anr. .. Applicants.
Vs.
Ms.Tanvi Rajesh Verma & Anr. .. Respondents.

Mr.A.Y.Sakhare i/b M/s.Bharat Vaishnawa & Co. for the applicants.
Mr.Hira Gummalo for respondent no.1 in both the applications.
Mr.P.A.Pol A.P.P. for the State.

CORAM : D.B.BHOSALE, J.

DATED : 21ST JUNE, 2006

P.C.:

. Heard learned counsel for the parties.

2. In these applications, the applicants have made the following prayer:

> "(a) That, this Honourable Court may be pleased to modify the order dated 10th January, 2006 and order dated 26th April, 2006 passed in Appeal No.795 of 2005, directing the Applicants to deposit an amount of Rs.3,75,000/- which is a condition precedent for hearing and final disposal of the Appeal No.795 of 2005 and allow the applicants to deposit an amount of Rs.1,00,000/- and thereafter the Appeal be directed to heard and decided on merits."

3. It appears that the learned Additional

Sessions Judge by the common order passed in two appeals had directed the applicants to pay Rs.3.75 lakhs as condition precedent for suspension of the sentence and payment of compensation. The amount involved in both the appeals is Rs.7.50 Lakhs out of which 50% has been directed to be deposited. I do not find any reason to interfere with this order. However, keeping in view the overall facts and circumstances of the case I am inclined to grant him some breathing time to deposit the said amount. Hence I pass the following order:

. The applicant shall deposit Rs.1,00,000/- within one week from today and remaining amount of Rs.2.75 lakhs within three weeks therefrom. If the applicants fails to deposit either of the instalments he shall surrender before the learned Magistrate within one week from the date of default. The applications are, accordingly, disposed of.

(D.B.Bhosale, J.)